

90th Legislative Session – 2015

Committee: Senate Appropriations

Monday, March 09, 2015

P - Present
E - Excused
A - Absent

Roll Call

P Buhl O'Donnell
P Parsley
P White
P Heineman (Phyllis)
P Haverly
P Van Gerpen
P Omdahl
P Tidemann, Vice-Chair
P Peters, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Deb Peters.

MOTION: SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF DENNIS NEUGEBAUER OF SIOUX FALLS, SOUTH DAKOTA, TO THE SOUTH DAKOTA BUILDING AUTHORITY

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Buhl O'Donnell, Parsley, White, Heineman (Phyllis), Haverly, Van Gerpen, Omdahl, Tidemann, Peters

MOTION: PLACE REAPPOINTMENT ON CONSENT CALENDAR

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Prevailed by voice vote.

MOTION: SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF BRENT E. DYKSTRA OF FORT PIERRE, SOUTH DAKOTA, TO THE SD LOTTERY COMMISSION

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Buhl O'Donnell, Parsley, White, Heineman (Phyllis), Haverly, Van Gerpen, Omdahl, Tidemann, Peters

MOTION: PLACE REAPPOINTMENT ON CONSENT CALENDAR

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Prevailed by voice vote.

HB 1110: approve the addition of judges to the Second and Seventh Judicial Circuits and to make an appropriation therefor.

MOTION: AMEND HB 1110

1110gc

On page 1, line 4, of the House engrossed bill, delete "one dollar (\$1)" and insert "two dollars (\$2)".

On page 1, line 6, delete "one dollar (\$1)" and insert "two dollars (\$2)".

On page 1, line 7, delete "one dollar (\$1)" and insert "two dollars (\$2)".

On page 1, line 11, delete "one dollar (\$1)" and insert "two dollars (\$2)".

On page 1, line 13, delete "one dollar (\$1)" and insert "two dollars (\$2)".

On page 1, line 14, delete "one dollar (\$1)" and insert "two dollars (\$2)".

Moved by: Tidemann
Second by: Buhl O'Donnell
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1110 AS AMENDED

Moved by: Tidemann
Second by: Buhl O'Donnell
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Buhl O'Donnell, Parsley, White, Heineman (Phyllis), Haverly, Van Gerpen, Omdahl, Tidemann, Peters

HB 1185: make an appropriation for property and casualty loss coverage, to establish the property and casualty captive insurance company fund for state properties, and to declare an emergency.

MOTION: DO PASS HB 1185

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: White, Heineman (Phyllis), Haverly, Omdahl, Tidemann, Peters

Voting No: Buhl O'Donnell, Parsley, Van Gerpen

HB 1186: revise an appropriation made to the Science and Technology Authority.

MOTION: DO PASS HB 1186

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: White, Heineman (Phyllis), Haverly, Omdahl, Tidemann, Peters

Voting No: Buhl O'Donnell, Parsley, Van Gerpen

HB 1187: make an appropriation for liability coverage for the South Dakota Building Authority, South Dakota Health and Educational Facilities Authority, South Dakota Housing Development Authority, South Dakota Ellsworth Development Authority, and South Dakota Educational Enhancement Funding Corporation, to establish the liability captive insurance company fund, and to declare an emergency.

MOTION: DO PASS HB 1187

Moved by: Tidemann

Second by: Heineman (Phyllis)

Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: White, Heineman (Phyllis), Haverly, Omdahl, Tidemann, Peters

Voting No: Buhl O'Donnell, Parsley, Van Gerpen

HB 1192: make an appropriation for the protection and enhancement of wildlife habitat and to declare an emergency.

MOTION: AMEND HB 1192

1192mc

On page 1, line 4, of the House Appropriations Committee engrossed bill, delete "one dollar (\$1)" and insert "five hundred thousand (\$500,000)".

On page 1, between lines 12 and 13, insert:

" Section 3. The funds appropriated in section 1 of this Act shall be for the purpose of program operations and may not be added to an endowment."

Moved by: Tidemann

Second by: Heineman (Phyllis)

Action: Prevailed by voice vote.

MOTION: DO PASS HB 1192 AS AMENDED

Moved by: Tidemann

Second by: Heineman (Phyllis)

Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Buhl O'Donnell, Parsley, White, Heineman (Phyllis), Haverly, Van Gerpen, Omdahl, Tidemann, Peters

HB 1188: make an appropriation to the Department of Environment and Natural Resources

to develop a hydrologic model of the lower Big Sioux River Basin in southeast South Dakota and to declare an emergency.

MOTION: TO TABLE HB 1188

Moved by: Tidemann

Second by: Omdahl

Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Buhl O'Donnell, Parsley, White, Heineman (Phyllis), Haverly, Van Gerpen, Omdahl, Tidemann, Peters

HB 1228: establish an obligation recovery center.

Opponents: Tonchi Weaver, SD Citizens for Liberty

MOTION: AMEND HB 1228

1228oi

On page 1, line 4, of the House engrossed bill, after "." insert "The purpose of the obligation recovery center is to be a central repository for identification, registration, and oversight of debts owed to any agency or department of the State of South Dakota. The center shall act to collect the state's debt during the state's account receivable cycle."

On page 1, between lines 5 and 6, insert:

"

- (1) "Account receivable cycle," the period of time, not to exceed one hundred eighty days, during which the center or any agency, department, or system of the State of South Dakota may attempt to collect on a debt before the debt is forwarded to a collection agency or agencies pursuant to section 14 of this Act;"

On page 1, line 6, delete "(1)" and insert "(2)".

On page 1, line 7, delete "(2)" and insert "(3)".

On page 1, line 13, delete "(3)" and insert "(4)".

On page 2, line 1, delete (4) "Final" and insert "(5) Bad".

On page 2, line 6, delete "(5)" and insert "(6)".

On page 2, line 7, delete "(6)" and insert "(7)".

On page 2, line 9, delete "final" and insert "bad".

On page 2, line 9, after "the center" insert "during the account receivable cycle".

On page 2, line 24, delete "final" and insert "bad".

On page 3, line 4, delete "final" and insert "bad".

On page 3, line 7, delete "final" and insert "bad".

On page 3, line 22, after "follows" insert "during the account receivable cycle".

On page 3, line 23, delete "final" and insert "bad".

On page 6, line 19, delete everything after "collect" and insert "any debt referred to it within the account receivable cycle, the center shall".

On page 6, line 20, delete everything before "forward" .

On page 6, line 21, before "." insert "for a period of no less than two years, or as otherwise stipulated in the contract between the center and the collection agency".

On page 6, line 23, after "." insert "The center or a collection agency may retain debt beyond the account receivable cycle or other applicable collection period if the entity is actively engaged in substantive collection efforts, or based on other good cause.".

On page 6, line 23, delete "center" and insert "Bureau of Administration".

On page 7, line 1, delete "center" and insert "Bureau of Administration".

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND HB 1228

1228ga

On page 1, line 4, of the House engrossed bill, after "." insert "The purpose of the obligation recovery center is to be a central repository for identification, registration, and oversight of debts owed to any agency or department of the State of South Dakota. The center shall act to collect the state's debt during the state's account receivable cycle."

On page 1, between lines 5 and 6, insert:

"

- (1) "Account receivable cycle," the period of time, not to exceed one hundred eighty days, during which the center or any agency, department, or system of the State of South Dakota may attempt to collect on a debt before the debt is forwarded to a collection agency or agencies pursuant to section 14 of this Act;"

On page 1, line 6, delete "(1)" and insert "(2)".

On page 1, line 7, delete "(2)" and insert "(3)".

On page 1, line 13, delete "(3)" and insert "(4)".

On page 2, line 1, delete (4) "Final" and insert "(5) Bad".

On page 2, line 6, delete "(5)" and insert "(6)".

On page 2, line 7, delete "(6)" and insert "(7)".

On page 2, line 9, delete "final" and insert "bad".

On page 2, line 9, after "the center" insert "during the account receivable cycle".

On page 2, line 24, delete "final" and insert "bad".

On page 3, line 4, delete "final" and insert "bad".

On page 3, line 7, delete "final" and insert "bad".

On page 3, line 22, after "follows" insert "during the account receivable cycle".

On page 3, line 23, delete "final" and insert "bad".

On page 6, line 19, delete everything after "collect" and insert "any debt referred to it within the account receivable cycle, the center shall".

On page 6, line 20, delete everything before "forward" .

On page 6, line 21, before "." insert "for a period of no less than one year, or as otherwise stipulated in the contract between the center and the collection agency".

On page 6, line 23, after "." insert "The center or a collection agency may retain debt beyond the account receivable cycle or other applicable collection period if the entity is actively engaged in substantive collection efforts, or based on other good cause."

On page 6, line 23, delete "center" and insert "Bureau of Administration".

On page 7, line 1, delete "center" and insert "Bureau of Administration".

Moved by: White
Second by: Heineman (Phyllis)
Action: Prevailed by voice vote.

MOTION: AMEND HB 1228

1228sa

On page 7, after line 22 of the House engrossed bill, insert:

" Section 17. The obligation recovery center advisory group is established to assist the Bureau of Administration to implement this Act. The advisory group is attached to the Bureau of Administration and will meet at the call of the commissioner as often as necessary to furnish advice, gather information, and make recommendations to the Bureau of Administration regarding management and administration of the obligation recovering center. The advice and recommendations include such things as:

- (1) Planning, developing, and implementing programs;
- (2) Organizing the internal structure of the obligation recovery center;
- (3) Managing personnel;
- (4) Developing, reviewing, and selecting requests for proposals;
- (5) Reviewing activities assigned to the obligation recovery center; or
- (6) Budgeting and expending funds.

The advisory group, through the commissioner, will report periodically to the Government Operations and Audit Committee regarding its progress in implementing this Act.

The advisory group consists of four members: one appointed by the Speaker of the House, one appointed by the President Pro Tempore of the Senate, the commissioner of the Bureau of Administration, and the commissioner of Budget and Finance. The advisory group will solicit advice and recommendations from the Unified Judicial System and the Board of Regents regarding the implementation of the obligation recovery center."

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND HB 1228

1228sb

On page 7, after line 22 of the House engrossed bill, insert:

" Section 17. The obligation recovery center advisory group is established to assist the Bureau of Administration to implement this Act. The advisory group is attached to the Bureau of Administration and will meet at the call of the commissioner as often as necessary to furnish advice, gather information, and make recommendations to the Bureau of Administration regarding management and administration of the obligation recovering center. However, the advisory group shall meet at least once every quarter. The advice and recommendations include such things as:

- (1) Planning, developing, and implementing programs;
- (2) Organizing the internal structure of the obligation recovery center;
- (3) Managing personnel;
- (4) Developing, reviewing, and selecting requests for proposals;
- (5) Reviewing activities assigned to the obligation recovery center; or
- (6) Budgeting and expending funds.

The advisory group, through the commissioner, will report periodically to the Government Operations and Audit Committee regarding its progress in implementing this Act.

The advisory group consists of six members: two appointed by the Speaker of the House, two appointed by the President Pro Tempore of the Senate, the commissioner of the Bureau of Administration, and the commissioner of Budget and Finance. Not all of the members may be of the same political party. The advisory group will solicit advice and recommendations from the Unified Judicial System and the Board of Regents regarding the implementation of the obligation recovery center.

This section is repealed June 30, 2017."

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1228 AS AMENDED

Moved by: Tidemann
Second by: Heineman (Phyllis)
Action: Prevailed by roll call vote. (5-4-0-0)

Voting Yes: Buhl O'Donnell, White, Heineman (Phyllis), Haverly, Tidemann

Voting No: Parsley, Van Gerpen, Omdahl, Peters

MOTION: TO APPROVE THE MINUTES OF MARCH 6, 2015

Moved by: Omdahl
Second by: Buhl O'Donnell
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Parsley
Second by: Buhl O'Donnell
Action: Prevailed by voice vote.

Barb Bjorneberg
Committee Secretary

Deb Peters, Chair